

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|                              |   |                             |
|------------------------------|---|-----------------------------|
| In re Application of:        | ) |                             |
|                              | ) |                             |
| Kevin FAULKNER et al.        | ) | Group Art Unit: 2113        |
|                              | ) |                             |
| Application No.: 10/787,321  | ) | Examiner: Elmira Mehrmanesh |
|                              | ) |                             |
| Filed: February 27, 2004     | ) |                             |
|                              | ) |                             |
| For: SYSTEMS AND METHODS FOR | ) | Confirmation No.: 4320      |
| PERFORMING QUIESCENCE IN     | ) |                             |
| A STORAGE VIRTUALIZATION     | ) |                             |
| ENVIRONMENT                  | ) |                             |

**FILED ELECTRONICALLY**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicants bring to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by Section 1.17(p).

The listed documents were cited in the Office Action dated November 30, 2006 in Application Serial No. 10/787,323. Copies of the United States Patents and Patent Application Publications are not enclosed.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.


Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Applicants believe no additional fee is due. However, if there is any additional fee due in connection with the filing of this Statement, please charge the fee to Applicants' Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: 5 JAN 2007

By:   
Maura K. Moran  
Reg. No. 31,859

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| IDS Form PTO/SB/08: Substitute for form 1449A/PTO   |   |    |   | <b>Complete if Known</b> |                   |
| <b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br>(Use as many sheets as necessary) |   |    |   | Application Number       | 10/787,321        |
|   |   |    |   | Filing Date              | February 27, 2004 |
|   |   |    |   | First Named Inventor     | Kevin FAULKNER    |
|   |   |    |   | Art Unit                 | 2113              |
|   |   |    |   | Examiner Name            | Elmira Mehrmanesh |
| Sheet   | 1 | of | 1 | Attorney Docket Number   | 06502.0570-00000  |

| U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS |             |                             |  |  |   |
|---|-------------|-----------------------------|--|--|---|
| Examiner<br>Initials                                | Cite<br>No. | Document Number             | Issue or<br>Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
|   |             | Number-Kind Code (if known) |  |  |   |
|   |             | 4,607,365                   | 8/19/1986                                  | Greig et al.                                       |   |
|   |             | 5,140,592                   | 8/18/1992                                  | Idleman et al.                                     |   |
|   |             | 5,504,882                   | 4/2/1996                                   | Chai et al.  |   |
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|   |             | US2004/0148380              | 7/29/2004                                  | Meyer et al.                                       |   |
|   |             | US2004/0233910              | 11/25/2004                                 | Chen et al.  |   |

| FOREIGN PATENT DOCUMENTS |             |  |                                |  |   |             |
|--------------------------|-------------|--|--------------------------------|--|---|-------------|
| Examiner<br>Initials     | Cite<br>No. | Foreign Patent Document                  | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns,<br>Lines, Where<br>Relevant Passages<br>or Relevant Figures<br>Appear | Translation |
|                          |             | Country Code Number Kind Code (if known) |                                |  |   |             |
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| NON PATENT LITERATURE DOCUMENTS |             |   |             |
|---------------------------------|-------------|---|-------------|
| Examiner<br>Initials            | Cite<br>No. | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | Translation |
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|-----------------------|--|--------------------|--|
| Examiner<br>Signature |  | Date<br>Considered |  |
|-----------------------|--|--------------------|--|

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.